

REMARKS/ARGUMENTS

This Amendment is filed in response to the Office Action dated June 25, 2009. In the Office Action, Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being obvious in light of U.S. Patent No. 6,112,502 ("*Frederick*") and U.S. Patent No. 6,996,538 ("*Lucas*"). In response to the Office Action, Claims 1-5 have been amended, Claims 6-24 and 26 have been canceled, and Claims 27-28 have been added. Thus, as a result of this Amendment, Claims 1-5, 25, and 27-28 are pending in the application.

A. Rejection of Independent Claim 1

Independent Claim 1 has been amended to clarify the scope of the claim based on the Examiner's comments. In particular, independent Claim 1 has been amended to generally recite (a) determining if a first quantity of an item stored at a decentralized storage location is below a first predetermined level and (b) automatically generating a restocking order to restock the item at the decentralized storage location in response to the first quantity of the item being below the first predetermined level. Independent Claim 1 has also been amended to recite (c) determining if a second quantity of the item stored at a restocking storage location is below a second predetermined level in response to fulfillment of the restocking order and (d) automatically generating a purchase order ordering a third quantity of the item in response to the second quantity of the item being below the second predetermined level. Applicant submits that at least these concepts are not disclosed or suggested by *Frederick* and *Lucas*.

Generally, *Frederick* discloses a system for monitoring and dispensing medical items to patients. For example, a user may select a patient for whom specific medical items will be administered. In response to the selection of the patient and the specific medical items, the requested items are dispensed from dispensing devices. *Frederick* further discloses that the storage locations in dispensing devices may be restocked. *Lucas* generally discloses a system that enables third parties, such as distributors, to monitor the inventory of a particular entity via the Internet. The system also allows the entity to automatically order items from the distributor.

In contrast to *Frederick* and *Lucas*, the present application is directed to monitoring the supplies at decentralized storage locations and a restocking location. For example, independent

Claim 1 recites (a) determining if a first quantity of an item stored at a decentralized storage location is below a first predetermined level and (b) automatically generating a restocking order to restock the item at the decentralized storage location in response to the first quantity of the item being below the first predetermined level. Thus, for instance, as an item (e.g., a medical supply or medication) is dispensed from a decentralized storage location, the inventory of the item at the decentralized storage location is electronically determined. If the inventory of the item falls below a first predetermined level, independent Claim 1 recites automatically generating a restocking order to restock the decentralized storage location. This provides for automatic monitoring and replenishment of the decentralized storage locations.

In one embodiment, the item (e.g., a medical supply or medication) may be restocked using items from a restocking storage location. In that regard, independent Claim 1 has also been amended to recite (c) determining if a second quantity of the item stored at the restocking storage location is below a second predetermined level in response to fulfillment of the restocking order and (d) automatically generating a purchase order ordering a third quantity of the item in response to the second quantity of the item being below the second predetermined level. Accordingly, for example, as a restocking order is fulfilled, the inventory level of the item (at the restocking location) used in the restocking order is determined. If the quantity of the item falls below a second predetermined level, independent Claim 1 recites automatically generating a purchase order ordering a quantity of the item. This provides for automatic monitoring and replenishment of the restocking location from which items can be used to fulfill restocking orders.

Thus, as indicated above, both the decentralized storage location and the restocking location can have their inventory automatically monitored and replenished. At least these concepts are not disclosed or suggested by *Frederick* and *Lucas*. Therefore, Applicant respectfully submits that independent Claim 1 as amended is not obvious in light of *Frederick* and *Lucas* and therefore requests that the rejection of this claim be withdrawn.

B. Rejection of Dependent Claims 2-5 and 25

Dependent Claims 2-5 and 25 depend from independent Claim 1 and include all of the recitations thereof. Accordingly, for this reason and for the reasons stated above with respect to independent Claim 1, dependent Claims 2-5 and 25 are patentable over the prior art.

C. New Dependent Claims 27-28

New dependent Claims 27-28 depend from independent Claim 1 respectively and include all of the recitations of the corresponding base claim. Accordingly, for this reason and for the reasons stated above with respect to independent Claim 1, new dependent Claims 27-28 are patentable over the prior art.

D. Conclusion

The foregoing is submitted as a full and complete response to the Office Action dated June 25, 2009. The foregoing amendments and remarks are believed to have placed the present application in condition for allowance, and such action is respectfully requested. The Examiner is encouraged to contact Applicant's undersigned attorney at (404) 881-4381 or e-mail at dane.baltich@alston.com to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

/Dane A. Baltich/

Dane A. Baltich
Registration No. 55,274

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 881-7000

Appl. No.: 10/730,657
Amdt. dated September 22, 2009
Response to Office Action dated June 25, 2009

Fax Atlanta Office (404) 881-7777

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON September 22, 2009.